



Paper No. 8

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OFFICE OF PETITIONS

In re Application of
Smith et al.
Application No. 09/475,961
Filed: December 30, 1999
Attorney Docket No. 9D-EC-19335

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed by facsimile on March 29, 2002, requesting that the above-identified application be revived.

The petition is **GRANTED**.

This application became abandoned on April 11, 2000 for failure to timely respond to the February 10, 2000 Notice to File Missing Parts of Application ("2/10/00 Notice"), which provided an extendable 2-month reply period. No extension of time under 37 CFR 1.136(a) was obtained.

In reply to the 2/10/00 Notice, the petition encloses a signed "Combined Declaration and Power of Attorney for Patent Application." Also included are: an authorization to charge Deposit Account No. 01-2384 for the \$1,280 petition fee and the \$130 surcharge for late filing of an acceptable declaration; and a statement that the entire delay in filing the signed declaration from its due date until the filing of a grantable §1.137(b) petition was unintentional. The petition is thus granted.

Also, the Office acknowledges receipt with the petition of a preliminary amendment first submitted on November 14, 2000.

The application is being returned to the Office of Initial Patent Examination for further processing, including issuance of a filing receipt if one has not yet been mailed. Thereafter, the application will be forwarded to the appropriate Technology Center for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy